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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER VO, HUYEN X				
ART UNIT		PAPER NUMBER		
2655				

DATE MAILED: 09/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/990,768	HINDE ET AL.	
	Examiner	Art Unit	
	Huyen Vo	2655	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-68 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-68 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/31/02 & 5/5/02</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 4-11, 13, 19-22, 24-26, 30-35, 37-43, 45, 51-56, 58-60, and 65-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allinger (DE Patent No. 19747745) in view of Albuquerk et al. (US Patent No. 5929848).

3. Regarding claim 1, Allinger discloses a system for enabling verbal communication on behalf of a local entity with a nearby user, the system comprising:

user equipment, intended to be carried by a user, comprising a wireless communication subsystem (*element 4 in figure 1*); a communications infrastructure comprising at least a wireless network for communicating with the wireless communication subsystem of the user equipment (*figure 1, specifically elements 5 and 10*); audio output means forming part of the user equipment, or located in the locality of the local entity and connected to the communication infrastructure (*page 1, lines 1-12*); audio input means forming part of the user's equipment (*elements 4-6 in figure 1*), or located in the locality of said entity and connected to said communications infrastructure (*page 1, lines 1-12*); and

a voice service arrangement for providing said voice service, the voice service arrangement being connected to said communications infrastructure such as to enable the user's equipment to contact it over the wireless network using said contact data, the voice service arrangement being operative, in response to being contacted by the user equipment, to act as voice proxy for the local entity by providing voice input and output signals over the communications infrastructure to the audio input and output means thereby enabling a user to interact with the voice service through spoken dialog with voice input by the user through the audio input means and voice output to the user through the audio output means (*the operation of figure 1 or referring to pages 5-6*).

Allinger fails to specifically disclose a contact-data input means for receiving contact data, and a contact-data providing means located at the local entity for making available to a user near the local entity or to the user equipment carried by that user, contact data identifying a voice service associated with the entity but separately hosted. However, Albuquerk et al. teach a user device having contact-data input means for receiving contact data (*PID 101 receives identification signal 109 emitted from identification device 107 located near the exhibit in figure 1*); and a contact-data providing means located at the local entity for making available to a user near the local entity or to the user equipment carried by that user (*identification device 107 located near the exhibit emits identification signal for the user device*), contact data identifying a voice service associated with the entity but separately hosted (*col. 9, ln. 11-31*).

Since Allinger and Albuquerk et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of

invention to modify Allinger by incorporating the teaching of Albukerk et al. in order to provide appropriate information about that particular exhibit to the user.

4. Regarding claim 34, Allinger discloses a method of voice communication concerning a local entity wherein: (a) upon a user approaching the local entity, identifying a voice service associated with the entity but separately hosted (*figure 1 or pages 5-6*); and (c) the user interacts with the voice service through spoken dialog with both voice input by the user and voice output by the service, the voice service acting as voice proxy for the local entity (*pages 3 and 5-6*).

Allinger fails to disclose that upon a user approaching the local entity, contact data is presented to the user or to equipment carried by the user, and (b) the contact data is used by the user's equipment to contact the voice service over a wireless network. However, Albukerk et al. teach that upon a user approaching the local entity, contact data is presented to the user or to equipment carried by the user, and (b) the contact data is used by the user's equipment to contact the voice service over a wireless network (*col. 8, ln. 1-54*).

Since Allinger and Albukerk et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Allinger by incorporating the teaching of Albukerk et al. in order to provide appropriate information about a particular exhibit to the user.

5. Regarding claims 2 and 35, Allinger fails to disclose a system and method according to claims 1 and 34, wherein the contact-data means is a beacon device located at or near the local entity and operative to communicate with the contact-data input means of the user's equipment

over a short-range communication link. However, Albukerk et al. further teach that the contact-data means is a beacon device located at or near the local entity and operative to communicate with the contact-data input means of the user's equipment over a short-range communication link (*figure 1 and col. 8, lines 1-46*).

Since Allinger and Albukerk et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Allinger by incorporating the teaching of Albukerk et al. in order to provide to the visitor interpretive information for various objects displayed in the museum.

6. Regarding claims 4 and 37, Allinger fails to disclose a system and method according to claims 1 and 34, wherein the contact-data means comprises means for presenting the contact data to the user visually or audibly, the contact-data input means of the user's equipment comprising user-operable means through which the user can input the contact data into their equipment. However, Albukerk et al. further teach that the contact-data means comprises means for presenting the contact data to the user visually or audibly, the contact-data input means of the user's equipment comprising user-operable means through which the user can input the contact data into their equipment (*col. 8, lines 1-54*).

Since Allinger and Albukerk et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Allinger by incorporating the teaching of Albukerk et al. in order to provide to the visitor interpretive information for various objects displayed in the museum.

7. Regarding claim 5, Allinger further discloses a system according to claim 1, wherein in said dialog the entity is represented in first person terms through the voice service (*page 7*).
8. Regarding claims 6 and 38, Allinger further discloses a system and method according to claims 1 and 34, wherein both the audio input and output means form part of the user equipment, the user equipment being operative to exchange said voice input and voice output with the voice service as voice signals passed across the wireless network (*pages 5-6*).
9. Regarding claims 7 and 39, Allinger further discloses a system and method according to claims 1 and 34, wherein both the audio input and output means are located in the locality of said entity apart from the user equipment (*page 1, ln. 1-12*), the voice service arrangement being operative to exchange said voice input and voice output with the audio input and output devices as voice signals passed across the communications infrastructure (*figure 1*).
10. Regarding claims 8 and 40, Allinger further discloses a system and method according to claims 1 and 34, wherein the audio input means forms part of the user equipment and the latter is arranged to pass said voice input as voice signals across the wireless network to the voice service (*figure 1 or pages 5-6*), the audio output means being located in the locality of said entity apart from the user equipment and the voice service arrangement being arranged to pass said voice output as voice signals to the audio output means across the communications infrastructure (*page 1, ln. 1-12*).

11. Regarding claims 9 and 41, the modified Allinger does not disclose a system and method according to claims 1 and 34, wherein said audio output means comprises multiple sound output devices and means for controlling the sound output such that it appears to be originating from said local entity. However, the examiner takes official notice that any audio surround sound system is capable of providing such sound effect. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to further modify Allinger by incorporating an audio surround sound system in the client device in order to make the sound appear as if it was originated from the object to make it more interesting for listeners.

12. Regarding claims 10 and 42, Allinger further discloses a system and method according to claims 9 and 41, wherein said multiple sound output devices are headphones worn by the user, the location of the voice service sound output in the audio field generated by the headphones being controlled to take account of the relative positions of the user and entity and rotations of the user's head (*pages. 5-6 and the operation in figure 1*).

13. Regarding claims 11 and 43, Allinger further discloses a system and method according to claims 9 and 41, wherein said multiple sound output devices are loudspeakers associated with the locality of the entity rather than with the user and connected with the voice service through a communications infrastructure, the sound output from the loudspeakers being controlled in dependence on the relative positions of the user and entity (*page 1, lines 1-12 and pages 5-6*).

14. Regarding claims 19-20 and 51, Allinger further discloses a system according to claims 1, 6 and 34, wherein the wireless network is a proprietary-space local network hosting the voice service arrangement, the local entity being located in the proprietary-space concerned (*figure 1*).

15. Regarding claim 21, Allinger further discloses a system according to claim 20, wherein said audio output means comprises headphones worn by the user, the location of the voice service sound output in the audio field generated by the headphones being controlled to take account of the relative positions of the user and entity and rotations of the user's head such that the sound output appears to be originating from said local entity (*pages 5-6*).

16. Regarding claims 22 and 56, Allinger further discloses a system and method according to claims 1 and 34, wherein the voice service arrangement is operative to connect a user newly contacting the voice service associated with said entity, into a session with any other users currently using the voice service in respect of the same local entity such that all users at least hear the voice output of the voice service (*pages 5-6, taking the fact that users can move freely in the room; two or more users can be at the same location at the same time viewing the same exhibit. Thus, the voice service system response to all the users*).

17. Regarding claims 24 and 58, Allinger further discloses a system and method according to claims 1 and 34, wherein the voice service arrangement is operative to connect a user newly contacting the voice service into a session with any other users currently using the voice service in respect of the same local entity and other entities that have been logically associated with that

entity, the voice inputs and outputs to and from the voice service being made available to all such users (*pages 5-6, taking the fact that users can move freely in the room, and each user uses a specific communication channel to communicate with the control system. Therefore, two or more users can be at the same location at the same time viewing the same exhibit, and thus, the same voice responses are transmitted to each user*).

18. Regarding claims 25 and 59, Allinger further discloses a system and method according to claims 2 and 35, wherein the beacon device is operative to include parameter values relating to the state of said local entity in said contact data, the user equipment being operative to pass these parameter values via the wireless network to the voice service arrangement for use in conditioning the output of the voice service (*page 6*).

19. Regarding claims 26 and 60, Allinger fails to disclose a system and method according to claims 1 and 34, further comprising cooperating means provided at the local entity and in the user equipment for establishing a short range link therebetween, the local entity having associated functionality arranged to be controlled by control data passed to it from the voice service via the short-range link. However, Albuquerk et al. further teach cooperating means provided at the local entity and in the user equipment for establishing a short range link therebetween, the local entity having associated functionality arranged to be controlled by control data passed to it from the voice service via the short-range link (*col. 8, lines 1-46 or figure 1*).

Since the modified Allinger and Albuquerk et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to further modify Allinger by incorporating the teaching of Albuquerk et al. in order to communicate with the client device without interfering with the signal of other devices.

20. Regarding claims 30-32 and 65-67, Allinger further discloses a system and method according to claims 1 and 34, further comprising means for sensing the position of the user relative to the entity, and means for passing corresponding position data to the voice service, the voice service being operative to condition its output in dependence on the user's sensed position, orientation, and line of approach (*pages 5-6*).

21. Regarding claims 33 and 68, Allinger do not disclose a system and method according to claims 2 and 35, wherein multiple beacon devices are associated with the entity, the contact data of the beacon device first or most recently picked up by the user equipment determining the voice service to be provided to the user in respect of that entity. However, Albuquerk et al. further discloses multiple beacon devices are associated with the entity, the contact data of the beacon device first or most recently picked up by the user equipment determining the voice service to be provided to the user in respect of that entity (*col. 8, lines 1-46*).

Since the modified Allinger and Albuquerk et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to further modify Allinger by incorporating the teaching of Albuquerk et al. in order to provide voice services to users.

22. Regarding claim 52, Allinger further discloses a method according to claim 51, wherein the user equipment includes a wireless headset which in step (c) is used for exchanging voice input and output with the voice service over the same wireless network as used in step (b) (*figure 1, specifically elements 5 and 10 or referring to pages 5-6*).

23. Regarding claim 53, Allinger further discloses a method according to claim 34, wherein the carrying out of step (b) is subject to user approval at the time (*page 7*).

24. Regarding claim 54, Allinger does not disclose a method according to claim 34, wherein the user equipment ensures that the user is only connected to one voice service at a time regardless of how many local entities with beacon devices are within pickup range. However, Albuquerk et al. further teach that the user equipment ensures that the user is only connected to one voice service at a time regardless of how many local entities with beacon devices are within pickup range (*col. 8, lines 1-54*).

Since Allinger and Albuquerk et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to further modify Allinger by incorporating the teaching of Albuquerk et al. in order to avoid interfering with other signals so that only one correct response is elicited to the user.

25. Regarding claim 55, Allinger further discloses a method according to claim 34, wherein in step (b) the identity of the user is sent to the voice service and used by the latter to look up user profile data which is then used to customize the voice service to the user (*pages 5-6*).

26. Regarding claims 13 and 45, Allinger further discloses a system and method according to claims 6 and 34, wherein the user equipment includes a mobile phone providing the said wireless communication subsystem and said audio input and output means (*communication unit 4 in figure 1*).

27. Claims 12, 14-18, 44, and 46-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allinger (DE Patent No. 19747745) in view of Albuquerk et al. (US Patent No. 5929848), as applied to claims 1 and 6 above, and further in view of Scott et al. (WO 00/30329).

28. Regarding claims 12, 14, 44, and 46, Allinger further discloses a speech recognizer for carrying out speech recognition of user voice input received as voice signals (*page 6*), but fails to disclose a system according to claims 1, 6, and 34, wherein the voice service arrangement comprises: a voice page server for serving voice pages in the form of text with embedded voice markup tags; and a voice browser comprising: a dialog manager for effecting dialog control on the basis of output from the speech recognizer and pages served by the voice page server; and a text-to-speech converter operative to convert voice pages into voice output signals under the control of the dialog manager.

However, Scott et al. teach that the voice service arrangement comprises: a voice page server for serving voice pages in the form of text with embedded voice markup tags; and a voice browser comprising: a dialog manager for effecting dialog control on the basis of output from the speech recognizer and pages served by the voice page server; and a text-to-speech converter operative to convert voice pages into voice output signals under the control of the dialog manager (*the operation of the IVR unit in figure 1*).

Since the modified Allinger and Scott et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Allinger by incorporating the teaching of Scott et al. in order to provide audible responses to assist users learning more about the exhibit that he/she is interested in.

29. Regarding claims 15 and 47, Allinger fails to disclose a system and method according to claims 14 and 46, wherein the voice browser is not part of the user's equipment and the contact data comprises a telephone number usable by the mobile phone to connect over a voice circuit of the wireless network to the voice browser, the voice browser being responsive to being connected to by the mobile phone to access the voice page server and to thereafter use said voice circuit for the exchange of voice input and/or output between the user and voice browser.

However, Scott et al. further teach that the voice browser is not part of the user's equipment and the contact data comprises a telephone number usable by the mobile phone to connect over a voice circuit of the wireless network to the voice browser, the voice browser being responsive to being connected to by the mobile phone to access the voice page server and

to thereafter use said voice circuit for the exchange of voice input and/or output between the user and voice browser (*the operation of figure 1*).

Since the modified Allinger and Scott et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to further modify Allinger by incorporating the teaching of Scott et al. in order for the system to communicate with the user to better assist them learn more about the exhibit by both audible and visual responses.

30. Regarding claims 16 and 48, Allinger fails to disclose a system and method according to claims 14 and 46, wherein the voice browser is not part of the user's equipment and the contact data is in the form of a URL, the mobile phone being operable to pass this URL, via a data-capable bearer service of the wireless network, to the voice service arrangement; the voice service arrangement being operative to thereupon use its voice browser to call back the user on the mobile phone using a voice circuit of the wireless network that is then used for voice input and/or output between the user and voice browser.

However, Scott et al. further discloses that the voice browser is not part of the user's equipment and the contact data is in the form of a URL, the mobile phone being operable to pass this URL, via a data-capable bearer service of the wireless network, to the voice service arrangement; the voice service arrangement being operative to thereupon use its voice browser to call back the user on the mobile phone using a voice circuit of the wireless network that is then used for voice input and/or output between the user and voice browser (*the operation in fig 1*).

Since the modified Allinger and Scott et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to further modify Allinger by incorporating the teaching of Scott et al. in order for the system to communicate with the user to better assist them learn more about the exhibit by both audible and visual responses.

31. Regarding claims 17 and 49, Allinger fails to disclose a system and method according to claims 14 and 46, wherein the voice browser is not part of the user's equipment and the contact data is in the form of a URL, the mobile phone being operable to pass this URL, via a data-capable bearer service of the wireless network, to the voice service arrangement; the voice service arrangement being thereafter operative to use the data-capable bearer service for voice input and/or output between the user and voice browser using a packetized voice protocol.

However, Scott et al. further disclose that the voice browser is not part of the user's equipment and the contact data is in the form of a URL, the mobile phone being operable to pass this URL, via a data-capable bearer service of the wireless network, to the voice service arrangement; the voice service arrangement being thereafter operative to use the data-capable bearer service for voice input and/or output between the user and voice browser using a packetized voice protocol (*the operation in figure 1*).

Since the modified Allinger and Scott et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to further modify Allinger by incorporating the teaching of Scott et al. in order for

the system to communicate with the user to better assist them learn more about the exhibit by both audible and visual responses.

32. Regarding claims 18 and 50, Allinger fails to disclose a system and method according to claims 14 and 46, wherein the voice browser is part of the user's equipment and the contact data is in the form of a URL, the voice browser being operative to use this URL to access, via a data-capable bearer service of the mobile-phone wireless network, the voice page server; the voice service arrangement being thereafter operative to use the data-capable bearer service for passing text based input and/or output between the voice browser and voice page server.

However, Scott et al. further teach that the voice browser is part of the user's equipment and the contact data is in the form of a URL, the voice browser being operative to use this URL to access, via a data-capable bearer service of the mobile-phone wireless network, the voice page server; the voice service arrangement being thereafter operative to use the data-capable bearer service for passing text based input and/or output between the voice browser and voice page server (*the operation in figure 1*).

Since the modified Allinger and Scott et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to further modify Allinger by incorporating the teaching of Scott et al. in order for the system to communicate with the user to better assist them learn more about the exhibit by both audible and visual responses.

33. Claims 3 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allinger (DE Patent No. 19747745) in view of Albukerk et al. (US Patent No. 5929848) as applied to claims 1 and 34 above, and further in view of Jamison et al. (US Patent No. 6085148).

34. Regarding claims 3 and 36, the modified Allinger fails to disclose a system and method according to claims 1 and 34, wherein the contact-data means comprise markings that are located on or adjacent the entity and represent the contact data, the contact-data input means of the user's equipment comprising a scanner for reading the markings. However, Jamison et al. teach that the contact-data input means of the user's equipment comprising a scanner for reading the markings (*bar code reader, col. 6, lines 1-27*).

Since the modified Allinger and Jamison et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to further modify Allinger by incorporating the teaching of Jamison et al. in order to enable users to learn more about the exhibit by scanning the bar code associated with that particular exhibit. Information associated with that bar code is retrieved and displayed or displayed for users. The advantage of this is to eliminate the annoying playback of messages associated with particular exhibits that the user does not wish to listen to when walking by those exhibits.

35. Claims 23 and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allinger (DE Patent No. 19747745) in view of Albukerk et al. (US Patent No. 5929848) as applied to claims 22 and 56 above, and further in view of England (US Patent No. 6144991).

36. Regarding claims 23 and 57, the modified Allinger fails to disclose a system and method according to claims 22 and 56, wherein the voice service arrangement is so arranged that voice input from a user is not broadcast to other users joined in the same session unless that input is selected for handling by the voice service. However, England further teaches that the voice service arrangement is so arranged that voice input from a user is not broadcast to other users joined in the same session unless that input is selected for handling by the voice service (*col. 5, lines 1-67*).

Since the modified Allinger and England are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to further modify Allinger by incorporating the teaching of England in order to enable other users to hear the voice of the person doing the talk so that they can understand what is being requested.

37. Claims 27, 29, 61-62, and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allinger (DE Patent No. 19747745) in view of Albukerk et al. (US Patent No. 5929848) as applied to claims 26 and 60 above, and further in view of Chen et al. (US Patent No. 5907351).

38. Regarding claims 27, 29, 61-62, and 64, the modified Allinger fails to disclose a system and method according to claims 26 and 60, wherein the local entity has an associated mouth-like feature movable by said functionality in dependence on the control data from the voice service whereby to cause operation of the mouth-like feature in synchronism with voice output from the

voice service, wherein the mouth-like feature is electronically displayed feature displayed on a display screen, and wherein the mouth-like feature is incorporated into the beacon device.

However, Chen et al. teach that the local entity has an associated mouth-like feature movable by said functionality in dependence on the control data from the voice service whereby to cause operation of the mouth-like feature in synchronism with voice output from the voice service, wherein the mouth-like feature is electronically displayed feature displayed on a display screen, and wherein the mouth-like feature is incorporated into the beacon device (*col. 4-5*).

Since the modified Allinger and Chen et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to further modify Allinger by incorporating the teaching of Chen et al. in order to provide audiovisual presentation to users to enhance human perception of speech.

39. Claims 28 and 63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allinger (DE Patent No. 19747745) in view of Albuquerk et al. (US Patent No. 5929848), further in view of Chen et al. (US Patent No. 5907351), as applied to claims 27 and 61 above, and further in view of Danieli (US Patent No. 6067095).

40. Regarding claims 28 and 63, the modified Allinger fails to disclose a system according to claims 27 and 61, wherein the mouth-like feature is electro-mechanical in form with moving mouth parts controlled by electrically-powered actuators. However, Danieli further teaches the mouth-like feature is electro-mechanical in form with moving mouth parts controlled by electrically-powered actuators (*figure 1*).

Since the modified Allinger and Chen et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to further modify Allinger by incorporating the teaching of Chen et al. in order to provide talking mechanical character in synchronism with audio being played to enhance human perception of speech.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huyen Vo whose telephone number is 703-305-8665. The examiner can normally be reached on M-F, 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 703-305-4827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner Huyen X. Vo

September 6, 2004


SUSAN MCFADDEN
PRIMARY EXAMINER